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9 *Attorneys for Plaintiff* ABANTE ROOTER
10 AND PLUMBING, INC. and the alleged Class

11
12 **UNITED STATES DISTRICT COURT**
13
14 **NORTHERN DISTRICT OF CALIFORNIA**
15
16 **OAKLAND DIVISION**

17 **ABANTE ROOTER AND PLUMBING,**
18 **INC.,** a California corporation, individually
19 and on behalf of all others similarly situated,

20 Plaintiff,

21 v.

22 **UNLOCKED BUSINESS STRATEGIES,**
23 **INC.,** a New York corporation, and
24 **THOMAS R. COSTA,** an individual,

25 Defendant.

Case No. 4:19-cv-07966-JST

**STATUS REPORT AND REQUEST TO
VACATE CASE MANAGEMENT
CONFERENCE**

26 Plaintiff Abante Rooter and Plumbing, Inc. (“Abante” or “Plaintiff”) respectfully provides
27 the following status report and requests that the Court vacate the case management conference
28 scheduled for March 31, 2020. In support of this request, Plaintiff states as follows:

1. Plaintiff filed its Class Action Complaint (“Complaint”) on December 4, 2019,
against Unlocked Business Strategies, Inc. (“UBS”). (Dkt. 1.)

2. On December 9, 2019, the Court set a Case Management Conference for March
31, 2020, at 2:00 p.m. (Dkt. 9.)

3. Further, the Parties were directed to file a Joint Case Management Conference Statement by March 24, 2020. (Dkt. 9.)

4. On February 17, 2020, Plaintiff filed its First Amended Class Action Complaint (“FAC”), which named Thomas Costa (“Costa”) (collectively with UBS “Defendants”) as an additional defendant. (Dkt. 15.)

5. Plaintiff served Defendant UBS on February 24, 2020 (dkt. 18), placing its deadline to respond on March 16, 2020.

6. Plaintiff then served Costa on February 26, 2020 (dkt. 19), placing his deadline to respond on March 18, 2020.

7. To date, neither defendant has entered an appearance, responded to the Complaint, or reached out to Plaintiff’s counsel.

8. Given that neither defendant has appeared, Plaintiff is unable to meet-and-confer with defense counsel and prepare a Joint Case Management Conference Statement.

9. Instead, Plaintiff filed a Motion for Leave to File a Second Amended Class Action Complaint and to Extend the Deadline to Serve All Defendants. (Dkt. 21.) The Second Amended Complaint will name Merchant Industry, LLC as an additional defendant.

10. Consequently, Plaintiff respectfully requests that the Court vacate the Case Management Conference scheduled for March 31, 2020.

Therefore, Plaintiff respectfully requests that the Court vacate the Case Management Conference and for such additional relief as the as the Court deems necessary and just.

Dated: March 24, 2020

Abante Rooter and Plumbing, Inc., individually
and on behalf of all others similarly situated,

By: /s/ Taylor T. Smith
One of Plaintiff’s Attorneys

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Counsel for Plaintiff and the Putative Class

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above titled document was served upon counsel of record by filing such papers via the Court's ECF system on March 24, 2020.

/s/ Taylor T. Smith